

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 61st LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON LOCAL GOVERNMENT**

**Call to Order:** By Vice Chairman MacLaren, on January 20, 2009 at 3:00 P.M., in Room 172 Capitol.

#### **ROLL CALL**

##### **Members Present:**

Rep. Betsy Hands, Vice Chairwoman (D)  
Rep. Gary MacLaren, Vice Chairman (R)  
Rep. Arlene Becker (D)  
Rep. Gerald Bennett (R)  
Rep. Tom Berry (R)  
Rep. Robyn Driscoll (D)  
Rep. Bob Ebinger (D)  
Rep. Wanda Grinde (D)  
Rep. Robin Hamilton (D)  
Rep. Pat Ingraham (R)  
Rep. Mike Menahan (D)  
Rep. Michael More (R)  
Rep. Scott Reichner (R)  
Rep. Michele Reinhart (D)  
Rep. Diane Sands (D)  
Rep. Gordon Vance (R)

**Members Excused:** Rep. Elsie Arntzen, Chairwoman (R)  
Rep. Wayne Stahl (R)

**Members Absent:** None

**Staff Present:** Katie Butcher, Committee Secretary  
Joe Kolman, Legislative Branch

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

##### **Committee Business Summary:**

Hearing & Date Posted: HB 156, HB 183, HB 244  
Executive Action: HB 61, HB 129

00:00:01 Call to order

**HEARING ON HB 244**

**Opening Statement by Sponsor:**

00:01:44 Rep. Duane Ankney (R), HD 43, opened the hearing on  
HB 244, Clarify law on absence by county officer.

**Proponents' Testimony:**

00:04:45 Harold Blattie, Executive Director, Montana Association  
of Counties (MACO)

[EXHIBIT\(loh13a01\)](#)

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:08:07 Rep. Ingraham  
00:08:34 Mr. Blattie  
00:09:09 Rep. Ebinger  
00:09:24 Mr. Blattie  
00:09:57 Vice Chairman MacLaren  
00:10:09 Rep. Ankney

**Closing by Sponsor:**

00:10:37 Rep. Ankney

(Rep. Stahl arrived)

**HEARING ON HB 183**

**Opening Statement by Sponsor:**

00:11:17 Rep. Dan Villa (D), HD 86, opened the hearing on  
HB 183, Restrict land use requirements from being  
placed and enacted on final plat.

**Proponents' Testimony:**

00:12:46 Sen. Dan McGee, SD 29

00:18:38 David Elias

[EXHIBIT\(loh13a02\)](#)

00:24:09 Warren Latvala  
00:30:05 Joe Roberts, Montana Association of Registered Land  
Surveyors (MARLS)

**Opponents' Testimony:**

00:32:02 Linda Stoll, Montana Association of Planners, Montana  
Association of Clerk and Recorders, Missoula County  
00:35:16 John MacDonald, City of Missoula  
**EXHIBIT (loh13a03)**  
00:36:46 Susie Browning, Commissioner, Granite County  
00:39:50 Harold Blattie, Executive Director, Montana Association  
of Counties  
00:43:51 Tim Davis, Montana Smart Growth Coalition

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:45:43 Rep. Ebinger  
00:46:17 Mr. Blattie  
00:46:36 Rep. Ebinger  
00:46:42 Mr. Davis  
00:46:46 Rep. Ebinger  
00:46:59 Mr. Davis  
00:47:46 Rep. Stahl  
00:47:57 Mr. Blattie  
00:48:05 Rep. Stahl  
00:48:21 Mr. Blattie  
00:49:02 Rep. Stahl  
00:49:33 Mr. Elias  
00:50:08 Rep. Stahl  
00:50:31 Mr. Elias  
00:50:59 Rep. Stahl  
00:51:25 Mr. Elias  
00:51:55 Rep. Stahl  
00:52:44 Mr. Elias  
00:53:23 Rep. Stahl  
00:53:30 Mr. MacDonald  
00:53:38 Rep. Stahl  
00:53:46 Mr. MacDonald  
00:53:56 Rep. Stahl  
00:54:16 Mr. MacDonald  
00:54:33 Rep. Stahl  
00:55:06 Mr. MacDonald  
00:55:25 Rep. Reinhart  
00:56:08 Mr. Elias  
00:56:37 Rep. Reinhart  
00:56:43 Mr. Elias

00:57:57 Rep. Reinhart  
00:58:18 Mr. Elias  
00:59:03 Rep. Reinhart  
00:59:41 Mr. Elias  
00:59:50 Rep. Reinhart  
01:00:25 Mr. Elias  
01:00:56 Rep. Reinhart  
01:01:41 Mr. Elias  
01:02:56 Rep. Reinhart  
01:03:27 Mr. Elias  
01:03:48 Rep. Reinhart  
01:03:59 Mr. Elias  
01:04:18 Rep. Ebinger  
01:04:47 Mr. Elias  
01:05:27 Rep. More  
01:05:56 Mr. Elias  
01:06:55 Vice Chair MacLaren  
01:07:39 Mr. Elias

(Rep. Arntzen arrived)

**Closing by Sponsor:**

01:08:29 Rep. Villa

**HEARING ON HB 156**

**Opening Statement by Sponsor:**

01:12:25 Rep. JP Pomnichowski (D), HD 63, opened the hearing on  
HB 156, Uniform penalty and enforcement for zoning  
violations.

**Proponents' Testimony:**

01:18:45 Harold Blattie, Executive Director, Montana Association  
of Counties

**EXHIBIT**(loh13a04)

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

01:19:52 Rep. Stahl  
01:20:06 Mr. Blattie  
01:20:31 Rep. Stahl

01:20:45 Mr. Blattie  
01:21:30 Rep. Stahl  
01:21:40 Mr. Blattie  
01:22:03 Rep. Stahl

**Closing by Sponsor:**

01:22:24 Rep. Pomnichowski  
  
01:24:40 Chairman Arntzen  
01:25:09 Rep. Reinhart

**EXECUTIVE ACTION ON HB 61**

01:26:28 **Motion/Vote:** Rep. Ingraham moved that **HB 61 DO PASS.**  
Motion carried unanimously by voice vote.

**EXECUTIVE ACTION ON HB 129**

01:29:01 **Motion:** Rep. Reinhart moved that **HB 129 DO PASS.**

**Discussion:**

01:29:10 Rep. Ebinger

01:29:24 **Motion:** Rep. Reinhart moved that **HB 129 BE AMENDED.**  
**EXHIBIT**(loh13a05)

**Discussion:**

01:30:20 Rep. Reinhart  
01:33:38 Vice Chairman MacLaren  
01:33:41 Rep. Stahl  
01:34:00 Rep. Reinhart  
01:34:45 Joe Kolman, Legislative Services Division  
01:35:17 Rep. Stahl  
01:35:58 Vice Chairman MacLaren  
01:36:09 Rep. Stahl  
01:36:18 Rep. Reinhart  
01:37:48 Rep. Stahl  
01:38:14 Mr. Kolman  
01:38:40 Lawrence Siroky, Department of Natural Resources (DNRC)  
01:39:24 Rep. Stahl  
01:39:40 Rep. Arntzen  
01:40:29 Vice Chairman MacLaren

01:40:34 Rep. Ebinger  
01:40:59 Rep. Arntzen  
01:41:45 Rep. Ingraham  
01:42:20 Mr. Kolman  
01:44:22 Vice Chairman MacLaren  
01:44:38 Rep. Arntzen  
01:45:09 Vice Chairman MacLaren

01:45:13 **Vote:** Motion carried 15-3 by voice vote with Rep.  
Ingraham, Rep. More, and Rep. Vance voting no.

01:45:37 **Motion:** Rep. Reinhart moved that **HB 129 DO PASS AS  
AMENDED.**

**Discussion:**

01:45:56 Rep. Arntzen

01:46:48 Rep. Reinhart withdrew her motion without objection.

**ADJOURNMENT**

01:47:14 Adjournment

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KATIE BUTCHER, Secretary

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**Additional Document:**

Testimony from Gallatin County Commissioners on HB 183.

Additional Documents:

**EXHIBIT ([loh13aad.pdf](#))**